IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1838 OF 2007

Shri.Jairam Pandurang Meher ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.P.L.Sapkale Advocate for Applicant
Mr.S.S.Pednekar A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 12, 2007

P.C.

1. Heard the learned advocate for the applicant

and the learned A.P.P. for the State.

2. The applicant is seeking anticipatory bail in C.R.No.I-78 of 2007 of Kalyan Taluka Police Station. The said case is mainly under Section 392 of IPC.

3. There was previous enmity between the complainant and the applicant on account of some incident which had occurred on the day of the marriage of the niece of the applicant. On account of that, on 27.4.2007, when the complainant was proceeding on motor-cycle, the applicant obstructed

the motor-cycle of the complainant with his Indica car and he assaulted the complainant. No medical certificate is on record to show that the complainant received any injuries. Moreover, it is also not the case of the complainant that he received any injuries in the incident. It is the case of the complainant that in the said incident, the applicant snatched the mobile-phone of the complainant. As per the complainant, the value of the mobile phone is Rs.1500/-. Mr.Sapkale, the learned advocate for the applicant states on instructions that the applicant is willing to deposit an amount of Rs.1500/- towards mobile phone with the I.O. and I.O. may hand over the said amount to the complainant. Mr.Sapkale, the learned advocate for the applicant further states that the applicant will not at any time, demand return of Rs.1500/- from the complainant. In this view of the matter, I am inclined to grant anticipatory bail to the applicant.

4. In the event of arrest, the applicant-Jairam Pandurang Meher to be released on bail in the sum of Rs.20,000/- (Rs.twenty thousand only) with one or two sureties to make up the said amount in C.R.No.I-78 of 2007 of Kalyan Taluka Police

Station. The applicant shall report to the concerned Police Station as and when required till the conclusion of trial. It is clarified that the deposit of Rs.1500/- by the applicant with the Investigating Officer, shall not in any case, be construed as the applicant admitting his guilt or his complicity in the offence in any manner.

5. Application is disposed of accordingly.

[Smt. V.K.Tahilramani, J.]